

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

KASMIR GREEN,

Defendant.

~~PROPOSED~~ ORDER

21 Cr. 431 (LAK)

WHEREAS, the Court referred to the Magistrate Judge on duty the change-of-plea proceeding (the “Proceeding”) for defendant Kasmir Green, scheduled for December 20, 2021;

WHEREAS, the Court has authorized the use of videoconferencing (or teleconferencing, if video is not reasonably available) for felony pleas under Rule 11 of the Federal Rules of Criminal Procedure, *see In re: Coronavirus/Covid-19 Pandemic*, 20 Misc. 176 (June 15, 2021);

WHEREAS, the defendant has consented to the use of videoconferencing (or teleconferencing, if video is not reasonably available) for the Proceeding;

WHEREAS the ongoing COVID-19 pandemic, including the defendant’s recent positive COVID-19 test, necessitates that the proceeding take place remotely;

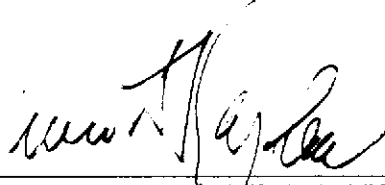
WHEREAS the Court understands that the Magistrate Judge on duty heard the defendant’s plea by telephone because video teleconference was not reasonably available;

THE COURT HEREBY FINDS that because the defendant has consented to proceeding remotely, and for the reasons set forth in the Government’s letter of December 20, 2021, the Proceeding cannot be further delayed without serious harm to the interests of justice.

Accordingly, IT IS HEREBY ORDERED that the Proceeding, which occurred on December 20, 2021, shall be conducted before the duty Magistrate Judge by teleconferencing, *nunc pro tunc*.

SO ORDERED:

Dated: New York, New York
December 20, 2021

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan", is written over a horizontal line.

THE HONORABLE LEWIS A. KAPLAN
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK